

**IN THE DISTRICT COURT OF THE UNITED STATES FOR THE MIDDLE DISTRICT,
EASTERN DIVISION, AT:
MONTGOMERY, ALABAMA**

2007 JUN 26 A 9:39

RECEIVED
DISTRICT COURT
MIDDLE DISTRICT ALA.

GENE COGGINS Pro st
1436 COUNTY ROAD #299
LANETT, AL 36863
Plaintiff

CIVIL ACTION NO. 3:07-CV-0402-MEF

CITY OF JACKSON'S GAP, and
JACKSON'S GAP POLICE DEPARTMENT
Defendant

**AMENDED COMPLAINT AND MOTION TO PROCEED IN
FORMA PAUPERIS**

COMES NOW, THE PLAINTIFF GENE COGGINS WITH THIS AMENDED COMPLAINT AS IN ORDER FILED 06, 21, 2007. IN SIMPLE LANGUAGE THE WHO, WHAT, WHERE, WHEN, WHY, HOW, AND GROUNDS FOR THIS COURT SUBJECT MATTER: AMENDED MOTION TO PROCEED IN FORMA PAUPERIS.

WHO:

ON PAGE ONE OF MY ORIGINAL COMPLAINT, THE DEFENDANTS ARE LISTED AS THE CITY OF JACKSON'S GAP AND JACKSON'S GAP POLICE DEPARTMENT. ON THE INDIVIDUAL SUMMONS INCLUDED. THE DEFENDANTS WERE LISTED AS THE CITY OF JACKSON'S GAP AND JACKSON'S GAP POLICE DEPARTMENT. NO WHERE IN THE COMPLAINT OR SUMMONS WERE ANY OTHER DEFENDANTS LISTED OR INDICATED AS SUCH.

WHAT:

HERE THIS COMPLAINT IS BASED UPON DIFFERENT CASES FILED IN LOCAL COURTS AND FEDERAL DISTRICT COURT IN MONTGOMERY, ALABAMA. AGAIN ON THE FRONT PAGE OF MY COMPLAINT CENTER PAGE IN BOLD LETTERS, "THIS COMPLAINT IS FILED AGAINST THE DEFENDANTS ABOVE THAT IS INVOLVED IN DESTROYING MY CONSTITUTIONAL RIGHTS, AS AN AMERICAN CITIZEN", WITH THE ABOVE INDICATING THAT THE DEFENDANTS INVOLVED IN THIS ILLEGAL OPERATIONS ARE THE CITY OF JACKSON'S GAP AND JACKSON'S GAP POLICE DEPARTMENT. . AS AN AMERICAN CITIZEN I HAVE THE RIGHT TO DEMAND FAIR AND EQUAL JUSTICE, NOT BECAUSE I AM POOR AND CANNOT AFFORD A LAWYER, OR BE WILLING TO SETTLE FOR ONE APPOINT BY ANY COURT, FOR I BELIEVE THAT MY GUARANTEED CONSTITUTIONAL RIGHTS ARE AS IMPORTANT TO ME, AS THEY DON'T APPEAR IN YOUR PAPER WORK TO HAVE ANY MEANING TO YOU OR THE OATH OF OFFICE YOU TOOK.

WHERE:

THE PROPER JURISDICTION, I, BELIEVE THAT ITEM NO 04, PAGE 05 - 06, HAS COVERED THIS WITH THE QUALIFICATIONS THAT ARE REQUIRED IN THE FEDERAL RULES OF CIVIL P.

WHEN:

AGAIN THE CITY OF JACKSON'S GAP AND JACKSON'S GAP POLICE DEPARTMENT, HAS OVER MANY YEARS DENIED PROTECTION TO MY FAMILY, I HAVE BEEN MANY TIMES TO SWEAR OUT WARRANTS FOR DIFFERENT INDIVIDUALS FOR STEELING AND DAMAGING TO THINGS I KEPT AT MOTHERS

HOUSE, THE WARRANTS WERE NEVER SERVED, OR ANY THING DONE. THEIR ONLY JOB IS A DO NOTHING APPROACH TO EVERY OCCASION. EVERY TIME I FILE SOMETHING TO COURT, IT WOULD BE FOUR YEARS OR MORE BEFORE A HEARING, THAT WAS USUALLY DISMISSED OR MY RIGHT TO A JURY TRIAL WOULD BE DENIED, OR MY RIGHT TO APPEAL WOULD BE DENIED, OR A CHARGE WOULD BE ADDED TO EVERY GUARANTEED CONSTITUTION RIGHT THAT I PRESENTED.

WHY:

I BELIEVE THAT THE WHY IS ANSWERED COMPLETELY IN MY ORIGINAL COMPLAINT AS FOUND IN ITEM NO 06, PAGE 06 - 09, UNDER THE CAUSE OF ACTION. A SHORT STATEMENT WOULD BE TO READ ALL OF THIS CAUSE OF ACTION, THAT INVOLVES BOTH PARTIES EQUALLY IN THIS ILLEGAL MEANS OF DENYING AND DESTROYING ALL OF MY GUARANTEED CONSTITUTIONAL RIGHTS AS AN AMERICAN CITIZEN. IF THIS CASE IS NOT FINALE IN THIS COURT, ALL INDICATIONS THAT THIS WILL BE WORST IN THE FUTURE FOR ME, WITH NO RECOURSE IN STOPPING THESE ILLEGAL ACTIONS.

HOW:

THE HOW THIS CAME ABOUT CAN BE FOUND IN MY ORIGINAL COMPLAINT UNDER EVIDENCE OR FACTS, ON PAGE 09. ANOTHER HOW WOULD COME FROM YOUR FINAL ORDER, THAT WILL DETERMINE THE NEXT PROCEDURE OR WHAT AVENUE I HAVE TO TAKE IN RECEIVING A FAIR AND JUST DECISION OF THESE ISSUES.

GROUND:

COVERS THE PERFORMANCE AT THE COMMENCEMENT OF A LAW SUIT, PERFORMANCE OF A SPECIFIED ACT, OR OTHER REQUIRED ACTS, WHICH PERMITS COURTS TO APPROPRIATE RESPECTIVE JURISDICTIONS AND AGREEABLE TO THE USAGE AND PRINCIPALS OF LAW. U. S. C. A. 28, s/s 1651. EXAMPLE; LIKE TAKING THE OATH OF OFFICE, AND NEVER ABIDING BY ANY STATEMENT THAT WAS MADE, TO UPHOLD THE CONSTITUTION OF THE UNITED STATES, GUARANTEEING EVERY CITIZEN THE RIGHT TO BE HEARD IN COURT, AND KEEPING THE DUE PROCESS OF LAW FAIR AND EQUAL JUSTICE TO ALL AMERICAN CITIZENS, BY NOT ALLOWING ANY GUARANTEED CONSTITUTION RIGHT TO BE AVOIDED, OR LEFT OUT, IN THIS CASE.

MOTION TO APPEAR IN FORMA PAUPERIS:

THE LEGAL TERM FOR THE COST FOR THIS ACTION IS COVERED UNDER MY GUARANTEED RIGHT BY THE CONSTITUTION OF THE UNITED STATES, TO EVERY CITIZEN HAS THE RIGHT TO APPEAR IN FORMA PAUPERIS AS FOUND IN FED. R. APP. P. 39 WITH, NO FEES, COST, GIVEN SECURITY IN ANY FORM, OR ANY RESTRICTIONS ADDED ON. FED. R. 28 - 39, 48, U. S. C. ... MAY V; WILLIAMS 17 AL 23 (1849), CRIM. P. 23-33 FED. R. CIVIL P. 59...

THIS GUARANTEED CONSTITUTION RIGHT AS SET BY THE FEDERAL GOVERNMENT, IS PLACED UPON JUDGES NOT TO DENY ANY CITIZEN THIS BASIC RIGHT, THEREFORE ANY ATTEMPT BY A JUDGE OR CLERK TO PLACE ANY RESTRICTION UPON ANY CASE THAT INVOLVES THIS RIGHT HAS

COMMITTED A FELONY AND PERJURY BY BREAKING THE SWORN OATH OF OFFICE. Art. VI U. S. Constitutional, Art. II Sec. I. U. S. Const. Vaughn V: State, 146, Tex. Cr. R. 585, 177, S. W. 2d, 59, 60..

CONCLUSION:

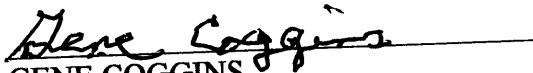
I HOPE THAT THIS AMENDED COMPLAIN ALONG WITH MY ORIGINAL WILL SUPPLY ALL OF THE ANSWERS THAT YOU ARE LOOKING FOR, TO HELP BRING CLOSURE TO THIS INJUSTICE THAT HAS PLAGUED ME FOR YEARS.

ON PAGE 12, UNDER CONCLUSION ON MY ORIGINAL COMPLAINT STATES "NO MAGISTRATE JUDGE CAN BE INVOLVED BY LAW IN THIS CASE, FOR THEY CAN BE APPOINTED ONLY IN MINOR OFFENSES BY THE FEDERAL DISTRICT JUDGE, OR REQUESTED BY THE PLAINTIFF WITH PROPER WRITTEN FORMS. THIS CASE INVOLVES A GUARANTEED CONSTITUTIONAL RIGHT VIOLATION, " THAT I REQUESTED TO BE PRESENTED TO A FAIR AND IMPARTIAL DISTRICT JUDGE.. THEREFORE ANY OPINION OR ORDER ISSUED BY A MAGISTRATE JUDGE IS ILLEGAL AND NOT A PART OF THIS ORIGINAL COMPLAINT. 9 Edmunds Cyclopedia of Federal Procedures 3919

UNDER THE DUE PROCESS OF LAW A COMPLAINT FILED BY A PLAINTIFF AGAINST SOME WRONG CREATED BY AND AGAINST A DEFENDANT, IS PRESENT TO A COURT TO SETTLE THIS DIFFERENT, UNDER THE FEDERAL RULES OF CIVIL PROCEEDINGS THIS IS NOT INTENDED FOR THE PLAINTIFF AND A JUDGE TO SETTLE WITHOUT A DEFENDANT OR SOME ATTORNEY TO REPRESENT THEM, IN SUPPLYING AN ANSWER OF DEFENSE IN THEIR BEHALF...

I HEREBY CERTIFY THAT I HAVE ANSWERED ANY AND ALL REQUIRED QUESTIONS TO THE BEST OF MY KNOWLEDGE, AND ARE TRUE AS TO THE ACCESS, THAT I HAVE REQUIRED IN THIS CASE.

WHEN THIS COURT FAILED TO SUPPLY THE DEFENDANTS WITH A COPY OF THE COMPLAINT AND SUMMONS AS REQUIRED BY LAW, THE DUE PROCESS OF LAW AS GUARANTEED BY THE UNITED STATES CONSTITUTION DON'T EXIST IN THIS SO CALLED COURT OF JUSTICE. WITH ALL OF THE MISTAKES MADE IN THIS COURT, THE ONLY WAY TO CORRECT THIS IS TO START BACK AT THE BEGINNING AND TRY TO CARRY OUT ALL COMPLAINTS ACCORDING TO ALL OF THE CONSTITUTIONAL LAWS GOVERNING THAT CASE, NOT CREATING EXCUSES OR ANY OTHER ILLEGAL METHODS TO DENY ME OF MY GUARANTEED CONSTITUTIONAL RIGHTS...


GENE COGGINS